

APPENDIX 5. REFERENCE INFORMATION: PUBLIC LAWS ASSOCIATED WITH TASKS OF THIS HANDBOOK

This appendix contains most recently signed Public Law information that affects inspectors' responsibilities in performing related tasks of this handbook. Most recently signed Public Law 108–199, Section 521, affects tasks relating to Banner Tow Operations.

PUBLIC LAW 108–199, SECTION 521 RELATING TO BANNER TOW OPERATIONS.

Although banner tow operators are responsible for complying with appropriate regulations and airspace related restrictions, inspectors need to be aware of the following information concerning banner tow operations.

After the terrorist attacks of September 11, 2001, FAA issued Notices to Airmen (NOTAM) restricting flight access to certain airspace. In February 2003, the United States Congress passed a public law effectively

prohibiting aerial advertising flights at certain events, stadiums, or other venues during specified times. The law prohibited certain operations within specified airspace limits. Then it rescinded waivers for the specified events. Finally, it permitted certain operators who met specified conditions to reapply for a waiver for non-banner tow operations at the listed events. The law was effective for one year. In January 2004, Congress, in Public Law 108–199—January 23, 2004 in Title V—General Provisions, Section 521, extended those restrictions indefinitely. The following is a reprint of Section 521.

Sec. 521.

(a) In General.—The Secretary of Transportation—

(1) shall, without regard to any fiscal year limitation, maintain in full force and effect the restrictions imposed under Federal Aviation Administration Notices to Airmen FDC 3/2122, FDC 3/2123, and FDC 2/0199; and

(2) may not grant any waivers or exemptions from such restrictions, except—

(A) as authorized by air traffic control for operational or safety purposes;

(B) with respect to an event, stadium, or other venue—

(i) for operational purposes;

(ii) for the transport of team members, officials of the governing body, and immediate family members and guests of such team members and officials to and from such event, stadium, or venue;

(iii) in the case of a sporting event, for the transport of equipment or parts to and from such sporting event;

(iv) to permit a broadcast rights holder to provide broadcast coverage of such event, stadium, or venue; and

(v) for safety and security purposes related to such event, stadium, or venue; and

(C) to allow the operation of an aircraft in restricted airspace to the extent necessary to arrive at or depart from an airport using standard air traffic control procedures.

(b) Limitations on Use of Funds.—None of the funds appropriated or otherwise made available by title I of this Act may be obligated or expended to terminate or limit the restrictions imposed under the Federal Aviation Administration Notices to Airmen referred to in subsection (a), or to grant waivers of, or exemptions from, such restrictions except as provided under subsection (a)(2).

(c) Broadcast Contracts not Affected.—Nothing in this section shall be construed to affect contractual rights pertaining to any broadcasting agreement.

The following FAA Internet web sites contain instructions for requesting waivers of the above restrictions for non-banner towing operations from FAA and the Transportation Security Administration (TSA). One of the sites with links to the other related sites is <http://www.faa.gov/ats/ata/waiver>. This site is for pilots requesting a "Pilot Waiver Request Major

Sporting Event Overflights" waiver for the special security instructions.

Questions about the security application should be directed to the TSA at (571) 227-1324.

[THIS PAGE INTENTIONALLY LEFT BLANK]